

## **PLANNING AND ZONING COMMISSION MINUTES**

**City Council Chambers**

**April 19, 2022**

**5:30 P.M.**

MEMBERS PRESENT: Frankie Parson, Patrick Noon, Chad Harkey, Jason Jones, Heath Hamberlin, Cody Sage, Pat O'Rear and Ryan Baumgardner

MEMBERS ABSENT: Bernd (Dutch) Deblouw

STAFF PRESENT: Michael Shirley, Angela Choy, Anna Scott and Teresita Pinon

### **I. Call to Order**

Frankie Parson, Chairperson, called the meeting to order at 5:30 pm.

### **II. Invocation**

### **III. Pledge of Allegiance**

### **IV. Approval of March 15, 2022 P&Z Minutes**

**MOTION:** Patrick Noon motioned for approval of the March 15, 2022, minutes.

**SECOND:** Heath Hamberlin seconded the motion.

**VOTE:** The motion carried unanimously (8-0).

### **V. Citizen Comment**

None

### **VI. Consent Agenda**

A. CONSIDER application #RP22-02 The Crossing at Main & Main filed by Future Frontiers, LLC to replat approximately 34.054 acres of Lot 1 Block 1 and Lots 5 & 6 Block 2 of The Crossing at Main & Main into 12 commercial Lots located on Nealy Way, north of East Loop 281.

B. CONSIDER application #RP2-03 Microtel Center filed by Jody Fish to replat approximately 5.143 acres of Lot 4 Block 1 of Microtel Center in order to adjust the cul-de-sac along Swancy Street, located south of Pittman Street, west of South Eastman Road and north of Interstate 20.

**MOTION:** Patrick O'Rear motioned to approve the Consent Agenda.

**SECOND:** Chad Harkey seconded the motion.

**VOTE:** The motion carried unanimously (8-0).

## **VII. Regular Agenda**

- A. CONSIDER application #RP22-01 filed by Buchanan Gardens filed by Juan and Virginia Zermeno to replat approximately 1.51 acres of Lot 1, 2 and portions of Lot 3, 9 and 10 Block 7 of Buchanan Gardens Subdivision into one residential lot located at the southeast corner of Mobberly Avenue and Level Street.

Angela Choy presented the staff report.

### STAFF COMMENTS:

The applicant is requesting to replat approximately 1.51 acres of Lot 1, 2 and portions of Lot 3, 9 and 10 Block 7 of Buchanan Gardens Subdivision into one lot located at the southeast corner of Mobberly Avenue and Level Street.

The applicant has not installed the sidewalks or provided an estimate for the required infrastructure with a letter of credit prior to the Planning and Zoning Commission meeting which is required per the UDC Article D Section 4.13 and Article E Section 1.08.

Staff recommends a conditional approval with the following requirements:

- The applicant provide an estimate and letter of credit for the sidewalk or installs the sidewalk.

Once all conditions are met, the plat would be considered approved.

Heath Hamberlin asked staff whether the sidewalk recommendation was only for Mobberly Avenue or for both Mobberly Avenue and Level Street.

Angela Choy explained it was only for Level Street because Mobberly Avenue has existing sidewalks.

**MOTION:** Jason Jones motioned to approve with the conditions staff recommended.

**SECOND:** Ryan Baumgardner seconded the motion.

**VOTE:** The motion carried unanimously (8-0).

- B. CONSIDER application #RP22-04 Clearmeadow Estates, Unit 2 filed by Jo A. Duke Properties to replat approximately 0.498 acres of Lot 1, Block 3 Clearmeadow Estates, Unit 2 into two lots located on the southeast corner of Benny Street and Meadowview Drive.

Angela Choy presented the staff report.

**STAFF COMMENTS:**

The applicant is requesting to replat approximately 0.498 acres of Lot 1 Block 3 of Clearmeadow Estates, Unit 2 into 2 lots located on the southeast corner of Benny Street and Meadowview Drive.

As of today, staff did receive the Letter of Credit for the required sidewalks so staff does recommend approval of this request.

The applicant, Robert Crawley, managing partner for Jo A. Duke Properties, was present. He stated he was not aware that two houses constituted a subdivision when he purchased the property. He explained one house was currently under construction and after that is completed, he would like to start construction on the second house.

**MOTION:** Patrick Noon motioned to approve.

**SECOND:** Patrick O'Rear seconded the motion.

**VOTE:** The motion carried unanimously (8-0).

- C. A PUBLIC HEARING will be held to consider application #Z22-09 filed by Garrett Boersma requesting a rezone from Single Family (SF-4) to Townhome (TH) Zoning District for approximately 4.961 acres of AB 360 Alexander Jordan Survey situated on the southwest corner of Page Road and Delia Drive located at 3009 Page Road.

Angela Choy presented the staff report.

**STAFF COMMENTS:**

The applicant is requesting to rezone property located at the southwest corner of Page Road and Delia Drive from Single-Family (SF-4) to Townhome (TH) Zoning District.

Delia Drive and Page Road are classified as collector roadways and are maintained by the City of Longview. Collectors serve a critical role in the roadway network by gathering traffic from local roads and funneling them to the arterial network. This use is appropriate for this area, as long as access management is followed.

Staff finds the proposed zoning change is consistent with the future land use map and surrounding uses; therefore, this request does not constitute spot zoning.

The applicant, Garrett Boersma, 12205 Jazmin Circle Flint, TX 75762, and his business partner, Jeff Kroyer, 425 Honeysuckle Lane, Longview, TX 75605, were present. He stated they were interested in transitioning the area into



Townhome zoning and they were working with Johnson & Pace on the project.

Patrick O'Rear asked Mr. Boersma whether he was planning to build townhomes or an apartment complex on the property.

Mr. Boersma stated it would not be an apartment complex

Angela Choy explained that Townhome Zoning did not allow for apartments.

Public Hearing opened for discussion.

Mary Tucker, 1117 Delia Drive was present to voice her concern. She owns property located south of 3009 Page Drive and wanted to make sure the housing built there would not be government subsidized.

Mr. Boersma stated they did not intend or plan to build subsidized housing.

Frankie Parson asked Mr. Boersma whether they would be market rents.

Mr. Boersma stated that was correct, it would be a market rent townhome development.

Mrs. Tucker asked Mr. Boersma what he meant by market rent.

Mr. Boersma explained the rent would have to be paid without government funds.

Mrs. Tucker asked Mr. Boersma whether he was only going to rent the townhomes or sell them.

Mr. Boersma stated they were planning to rent the townhomes but that could change in the future. He assured Mrs. Tucker that it would not be designed for low-income housing.

Mrs. Tucker asked Mr. Boersma to keep her informed.

Mr. Boersma assured Mrs. Tucker he would keep her in the loop and informed once the zoning change was approved.

Public Hearing closed.

**MOTION:** Heath Hamberlin motioned for approval.

**SECOND:** Chad Harkey seconded the motion.

**VOTE:** The motion carried unanimously (8-0).

- D. A PUBLIC HEARING will be held to consider application #Z22-10 filed by Selwob Investments, LLC requesting a rezone from Single Family (SF-4) to General Retail (GR) Zoning District for approximately 6.6 acres of AB 262 A Jordan Survey Tracts 6 and 7 Section 1 located at 2447 North Eastman Road.

Angela Choy presented the staff report.

STAFF COMMENTS:

The applicant is requesting a rezone for approximately 6.6 acres of AB 262 A Jordan Survey Tracts 6 and 7 Section 1 from Single Family (SF-4) to General Retail (GR) located at 2447 North Eastman Road. The applicant is proposing a self-storage/mini warehouse for this site.

Eastman Road is classified as a principal arterial roadway. Principal arterials are designed to provide a high degree of mobility, service relatively high traffic volumes, have high operation speeds and service a significant portion of through travel. Retail use is appropriate for this area, as long as access management is followed.

Staff finds the proposed zoning change is consistent with the surrounding uses; therefore, the request does not constitute spot zoning.

The applicant, Denny Bowles, 3718 Holly Trail, Longview, TX 75605, was present. He explained the request was to change the zoning to retail because it was his hope to build a storage facility on the property. This would be located south of the tracts he brought before the Planning & Zoning Commission the previous month where he plans to build apartments.

Mr. Bowles stated that although Future Land Use map shows most of this tract as Office, he felt office space is not in high demand after COVID and more work from home options are available. Additionally, the proposed main entrance into the development will be located on North Eastman Road. Rande Drive does qualify as an emergency access and it would only be used by emergency vehicles. No tenant would be allowed to utilize the gate on Rande Drive.

Frankie Parson asked staff to point out the proposed main entrance on the map.

Mr. Bowles stated the definite plans were still in the process because the first step was to get the zoning changed. He mentioned the adjoining property to the east owned by the Woolbros is currently zoned Planned Development for Multi-Family. The east side of North Eastman Road is Heavy Commercial and there is General Retail to the north after his rezone requests were approved. Instead of requesting Office zoning the request is for General Retail as an extension of the tracts to the north.



Heath Hamberlin asked Mr. Bowles how much of the property was located in the flood zone.

Mr. Bowles stated he did not know the exact portions but there is a small rectangular tract on the northern portion of the property that was purchased by the City of Longview and is now part of a detention area.

Heath Hamberlin asked Mr. Bowles whether most of the property could be built on.

Mr. Bowles stated they were still in the planning phase but he was aware of an approximately 45 foot drop from North Eastman Road to the back of the property. He spoke to one of the neighbors over the weekend but was not able to answer some specific questions at the time because there is a lot to be determined. He plans to meet all city requirements. He thinks the chance of this property being developed for houses is slim. A housing development on the property would mean most of the traffic would go through Rande which he does not want to do and does not propose.

Public hearing opened for discussion.

Rick Gaston, 1104 Dennis Drive, Longview, TX 75605, was present to speak in opposition to the request. His property adjoins both tracts and he was representing approximately 17 property owners in the neighborhood who are unanimously opposed to the zoning request. He also had a petition signed by 25 homeowners in the vicinity that he submitted to Staff.

Mr. Gaston and his neighbors oppose the rezoning request and the subsequent Specific Use Permit because they believe the property is well suited for single family homes. They do not feel General Retail is compatible with their neighborhood. He cited things such as the increased chance of theft, traffic, noise, and light pollution that would negatively impact the neighborhood. The petitioners do not oppose developing the property for single family, they oppose developing it for General Retail. The petitioners respectfully request the Planning & Zoning Commission leave the tracts zoned single family so that their property values, safety, security and quality of life are not negatively impacted.

Jenna Pace, 1106 Dennis Drive, Longview, TX 75605, was present to speak in opposition to the request. She asked the Commissioners to consider the impact of developing retail storage units close to mature neighborhoods. She does not think that is best and does not inspire confidence in the homeowners of Longview who have lived in the city for decades.

Tim Whedbee, 625 E Loop 281, Longview, TX 75605, was present to speak. As the senior associate pastor for Mobberly Baptist Church, which is selling the property, he wanted to present some background information. The tracts were donated to the church in the 1980s by the Robertson family. Due to its location it is not used by the church, they have no structure there, and they have been trying to sell it for a number of years because it has become a tax burden.

Ann Fogle, 1202 Dennis Drive, Longview, TX 75605, was present to speak in opposition to the request. She opposes any kind of traffic that would go in or out of the neighborhood because many of the neighbors and their kids walk around the street and spend time outside with each other. Her family purchased their home because they liked the one ingress/egress setup of the neighborhood.

Alice Manis, 2304 Oliver Avenue, Longview, TX 75605, was present to speak in opposition to the request. She moved to Oliver Avenue less than a year ago because of the ease of everything being around but not near. She fears that if this request is approved and the property is rezoned it could grow out of control.

**Mr. Bowles spoke again to address the neighbors' concerns.** His request is to extend General Retail zoning south so that the 6 lots put together can have only one access from North Eastman Road. Currently, these tracts are only accessible through Rande Drive and that would be the access point if they were developed for residential use. He is not proposing any public access from Rande Drive, it would be used only for emergencies because his proposed access is from North Eastman Road.

**Pat O'Rear asked staff** whether the property was zoned single family.

Angela Choy stated single family was the current zoning.

**Pat O'Rear asked staff** whether a request could be made to rezone the property to Multi-Family.

Angela Choy explained the request would go before the Commission and then before City Council.

**Pat O'Rear asked staff** if a low income apartment complex could be built there.

Angela Choy explained it would not be allowed by right under the current zoning, it would have to go before the Commission and the City Council.

Heath Hamberlin asked staff whether having one access from Rande Drive would limit the number of single family residences that could be built on the tract.



Angela Choy explained that would be the case if the tract was developed for single family homes. A dead end street like Rande Drive would mean there could be a maximum of 30 lots without a secondary emergency access.

Heath Hamberlin asked staff whether the existing single family homes counted towards that maximum.

Angela Choy stated that was correct. There would need to be some type of secondary emergency access whether it was public or for emergencies only with a gate and a Knox Box on it.

Heath Hamberlin mentioned he counted about 28 existing homes and that would mean under the current usage only about 2 houses could be built on the tracts.

Angela Choy stated that was correct.

Mr. Gaston stated the neighbors were concerned the Temple Emanu-El tract would also be zoned General Retail in the future and they would be surrounded by General Retail. He asked staff to verify whether apartments were permitted in General Retail zoning.

Angela Choy stated apartments were allowed by right in General Retail zoning.

Heath Hamberlin asked staff how the Future Land Use map came to label the tracts for Office zoning.

Angela Choy stated she was not completely sure, but the Future Land Use map was updated in 2015 with the Comprehensive Plan. Prior to that there was a Future Land Use map that was worked on by the Commission and had a lot of citizen input as well. So it might have been the property owner at the time that thought it would be appropriate for Office zoning.

Public Hearing closed.

**MOTION:** No motion was made.

- E. A PUBLIC HEARING will be held to consider application #S22-03 filed by Selwob Investments, LLC requesting a Specific Use Permit (SUP) to allow for a Self Storage/Mini Warehouse in a General Retail (GR) Zoning District for approximately 6.6 acres of AB 262 A Jordan Survey Tracts 6 and 7 Section 1 located at 2447 North Eastman Road.

Angela Choy presented the staff report.



STAFF COMMENTS:

The applicant is requesting a Specific Use Permit (SUP) to allow for a Self-Storage/Mini Warehouse in General Retail (GR) Zoning District.

A Specific Use Permit is required for Self-Storage/Mini Warehouse in General Retail (GR) zoning districts to ensure no negative impact on surrounding properties.

Eastman Road is maintained by TxDOT and is a principal arterial roadway. Principal arterial roadways serve major centers of metropolitan areas and provide a high degree of mobility. They are designed to service relatively high traffic volumes, have high operational speeds, and service a significant portion of through travel. This type of development is appropriate along this roadway, as long as access management is followed.

Staff finds the proposed zoning change is consistent with surrounding uses; therefore, the request does not constitute spot zoning.

The applicant, Denny Bowles, 3718 Holly Trail, Longview, TX 75605, was present. He asked staff if the case could move forward since there was no motion made on his zoning request.

Angela Choy explained that the Specific Use Permit could still go before the City Council for their approval or denial even if the Commission had made no recommendation.

Mr. Bowles reiterated what he had stated previously. He wants to develop this property that has been vacant for years. His family operates a storage facility further up the road on North Eastman Road. He has noticed there is less traffic there than at an office complex or an apartment complex because once property is in storage the owners do not regularly come back to the property unless they need to retrieve something.  
Public hearing opened for discussion.

Alice Manis, 2304 Oliver Avenue, Longview, TX 75605, was present to speak. She asked the applicant what he planned to use the land for and how much of the land he planned to use.

Mr. Bowles stated he planned to utilize the entire piece of property. It is an expensive private investment and the plan is to utilize the property to generate as much income as possible.

Frankie Parson asked Mr. Bowles to repeat whether he planned to utilize the entire property.

Mr. Bowles stated he would use as much usable property that he could due to the slope and the city's requirements to develop property with drainage.

Mrs. Manis asked whether it would be used as storage only.

Mr. Bowles stated that was correct.

Public Hearing closed.

**MOTION:** Pat O'Rear motioned for approval.

**SECOND:** Heath Hamberlin seconded the motion.

**VOTE:** The motion carried unanimously (8-0).

- F. A PUBLIC HEARING will be held to consider application #S22-04 filed by Nishil Patel requesting a Specific Use Permit (SUP) to allow for a restaurant with a Private Club in a General Retail (GR) Zoning District for approximately 1.094 acres of Lot 1 Block 1 Chaparral Plaza Subdivision located at 120 Johnston Street.

Angela Choy presented the staff report.

STAFF COMMENTS:

The applicant is requesting a Specific Use Permit (SUP) for a restaurant with a private club in a General Retail (GR) zoning district. A Specific Use Permit is required for a private club allowing for onsite consumption of alcoholic beverages within GR zoning district to ensure no negative impact on surrounding properties.

Currently there is an existing restaurant that serves alcoholic beverages located in the retail center. Staff finds the proposed zoning change is consistent with the Future Land Use map and surrounding uses; therefore, it does not constitute spot zoning.

The applicant, Nishil Patel, managing member of NVIM, was present.

Jason Jones asked the applicant what the square footage of the building was.

Mr. Patel stated it was about 9,000 square feet.

Public hearing opened for discussion.

No one was present to speak in support or in opposition of the request.

Public Hearing closed.

**MOTION:** Patrick Noon motioned for approval.



**SECOND:** Jason Jones seconded the motion.

**VOTE:** The motion carried unanimously (8-0).

- G. A PUBLIC HEARING will be held to consider application #Z22-11 filed by Longview Interfaith Hospitality Network, Inc. requesting a rezone from Heavy Commercial (C) to Single Family (SF-5) Zoning District for Lot 10 Block 11 (NCB 14) Northcutt Heights located at 700 North Edith Street.
- 

Angela Choy presented the staff report.

**STAFF COMMENTS:**

The applicant is requesting a rezone for 700 N. Edith Street from Heavy Commercial (C) to Single Family (SF-5) Zoning District in order to convert the existing structure into a single family home.

Edith Street is classified as a local road and is maintained by the City of Longview. Staff finds the proposed zoning change is consistent with the future land use map and surrounding uses; therefore, this request does not constitute spot zoning.

The applicant, Randy York, 105 Timberlake Ranch Road, Hallsville, TX 75650, was present. He explained the property was a single family home prior to his involvement with Longview Interfaith Hospitality Network (now Longview Family Promise). The nonprofit organization assists families with children who are at risk of or experiencing homelessness. After COVID, they began moving away from their church-hosting model and are now moving towards onsite hosting. The property is not large enough and not zoned properly so they have a contract in place to sell it as a single family home but it needs to be rezoned.

Heath Hamberlin asked whether the property would be sold as single family and then used in the ministry.

Mr. York stated that was correct.

Public hearing opened for discussion.

Wilbur Davis, was present to speak. He asked Mr. York whether the zoning change would affect the property that was around the corner where he lived.

Mr. York stated the request was only for the lot in the request and they would not be involved with the property after the contract for sale was completed.

Public Hearing closed.

**MOTION:** Heath Hamberlin motioned for approval.

**SECOND:** Jason Jones seconded the motion.

**VOTE:** The motion carried unanimously (8-0).

- H. A PUBLIC HEARING will be held to consider application #Z22-12 filed by ShoreCarter Resoureces, LLC requesting a rezone from Multi-Family (MF-3) to General Retail (GR) Zoning District for approximately 11.506 acres of AB 4 I C Skillern Survey Tract 101-01 Section 5 located at 1022 Bill Owens Parkway.

Angela Choy presented the staff report.

STAFF COMMENTS:

The applicant is requesting a rezone for approximately 11.506 acres located at 1022 Bill Owens Parkway from Multi-Family (MF-3) to General Retail (GR) Zoning District. The applicant would like to develop the property into a sports complex with sports fields/courts, retail areas, and a beer garden. He is also proposing to tie this development into the Paul Boorman Trail.

Bill Owens Parkway is classified as a minor arterial roadway and is maintained by the City. Retail use is appropriate for this area, as long as access management is followed. Staff finds the proposed zoning change is consistent with adjacent zoning; therefore, it does not constitute spot zoning.

The applicant, Kenneth Shore, 4127 Airline Road, Longview, TX 75605, was present. He explained that most of the property is in the floodplain. When he bought the property it was overgrown and he cleaned it up. He plans to thin out the trees some but most of it will stay like it is.

The idea for this beer garden with a sports facility came a few years ago after a discussion with the Longview Economic Development Corporation about attracting young professionals to Longview and retaining them here. The Katy Trail Icehouse, the Gingerman, and other similar places in Dallas and Austin also inspired his idea. It will be a place for kids to play and adults to hangout and have a beer. There will be two big grass fields and it will be tied to the Boorman Trail. The sports fields will include 5-a-side soccer fields and pickle bar courts which are growing in popularity in the United States. Although he is in the oil and gas business, he started this project because he wants to see a place like this in Longview and he thinks it will be a great addition to the city.

Jason Jones asked Mr. Shore whether there would be a restaurant on the property.

Mr. Shore stated they were limited to a 2,500 square foot building so it would be a restaurant with a limited menu.

Public hearing opened for discussion.



Peyton Varner, 1003 Terra Place, Longview, TX, 75604, was present to speak in support of the request. She explained that as part of the mentioned demographic of young professionals in Longview she thought it was a great idea because people her age need more things to do in this city.

Tim Moore, 3818 Hobson Road, Longview, TX 75605, was present to speak in opposition to the request. He stated he owns a couple of duplexes on Grayson Court and although he thinks Mr. Shore's idea is wonderful he does not think this is the right place for it.

Mr. Moore shared his opinion that this area of Longview is very quiet so the noise, disruption and various things that come with putting in a business will completely change the tenor of this road section. The property is currently zoned Multi-Family which he thinks the city did for a purpose and he relied on that when deciding to purchase the properties to the south. He also thinks there will be an enormous traffic problem due to the sloping curve on the road. He believed lighting for nighttime activities will also be an issue and disruptive to the residents who rely upon the peace and quiet of their houses.

Mr. Moore thinks there are better locations for something like this in Longview and the city could always use more homes inside the city limits. He is not aware of anything like this being so close to a residential neighborhood; excluding maybe the Spring Hill ballpark.

Mr. Moore expressed the security of his tenants is at risk because without a strong, solid wall as a barrier to the south, people who drink sometimes do silly things and may wander through the trees onto his properties.

Patrick Noon asked Mr. Shore whether he was planning on leaving the existing buffer zone.

Mr. Shore stated he was going to leave the trees there. Mr. Shore believed, for all the reasons Mr. Moore was saying it was the wrong place, it was the right place. The whole point is to have a walkable place to go. In the past, Longview was ranked dead last on pedestrian spending in the entire United States. He was planning to leave all those trees on the south line and not touch any of that, even the encroachments Mr. Moore has on his property.

Mr. Shore was getting ready to have a mulcher go through and thin out part of the property. Yes, he was planning to put some lights in the trees but was not planning to touch any of the trees to the south, just to have a buffer between his property and the tenants. **He wasn't going to thin it out.**

Pat O'Rear asked Mr. Shore for clarification regarding if he originally planned to clear the trees but if he then changed his mind.

Mr. Shore responded saying he did not know and he did not know what Mr. Moore wanted. He believed Mr. Moore wants to condemn the property and have pretty woods behind his house. Very little of the property can be developed anyway. He could build a couple of 4-plexes because he basically owns right up to Mr. Moore's back door now but Mr. Moore does not want that; if it stays Multi-Family it is condemned in his opinion.

Pat O'Rear repeated his question, asking Mr. Shore when he was speaking he was saying he was planning on leaving it.

Mr. Shore stated he was planning on leaving it.

Pat O'Rear asked Mr. Shore whether he was still planning on leaving it.

Mr. Shore stated that was still the plan.

Pat O'Rear stated that was all he was asking.

Mr. Shore pointed out an area on his preliminary site plan by the parking lot and said all of that would be staying woods and he was not going to touch any of that because he likes the woods and it is pretty.

Donna Varner, 1711 H. G. Mosley Parkway, Longview, TX 75604, was present to speak about her concerns. She explained she owns the land across from Mr. Shore's on Bill Owens. There is a subdivision going in there that will hopefully keep expanding towards Bill Owens. Although she feels she cannot oppose the rezone request because part of her property is General Retail, her concern is for her neighbors due to the noise, lights and traffic. She is also concerned about the buffer.

Mr. Shore stated he is currently surrounded by woods. He has no neighbors.

Jason Jones asked Mrs. Varner what neighbors she was referring to and whether they were on the other side of Bill Owens.

Mrs. Varner explained she was referring to Enchanted Hills Subdivision. She owns the 18 acres on Bill Owens across from Mr. Shore which also adjoins another 13 acres that is undeveloped for Enchanted Hills.

Pat O'Rear asked whether the 18 acres were for sale.

Mrs. Varner confirmed they were.

Mr. Shore asked whether it was zoned General Retail.



Mrs. Varner explained that is why she stated she cannot oppose it but rather just had concerns about the traffic, lights and other things like that.

Mr. Shore explained he imagined there will eventually be retail on the west side of Bill Owens. According to him, one of the things that makes his idea appealing is the walkability. He is installing a sidewalk that will go down Bill Owens down to the southeast corner of his property. The whole idea is for people to walk to **the beer garden if they'd like** to. The idea is for neighborhoods on Mockingbird, Clarendon and Inverness to get on the trail and walk there. Those in Wildwood can cross to the Boorman Trail and walk there. And once the trail system is connected, people all the way on McCann and Judson can ride their bikes.

Geri Moore, 4B Grayson Court, Longview, TX 75604, was present to speak in **opposition to the request**. She is one of Mr. Moore's tenants. She asked Mr. Shore how his idea was reasonable and compatible to the houses on Grayson Court and what he was going to do to protect them from the noise and security issue.

Mr. Shore stated he was going to leave the buffer of the trees.

Ms. Moore stated she could see right through the trees and asked Mr. Shore how that was a buffer for light, noise and smells.

Mr. Shore stated he was not following her question about smells.

Ms. Moore asked Mr. Shore whether he was planning on some type of rooftop terrace on top of a cabana.

Mr. Shore stated the whole thing was on the other side of a hill.

Ms. Moore said there was not much of a hill anywhere.

Mr. Shore responded saying, "Well there is not much a hill".

Ms. Moore responded saying, "I see you really don't care".

Mr. Shore stated he thinks this will make those properties more valuable, the area more popular and more people will want to lease the duplexes with a waiting list to do so.

Ms. Moore asked Mr. Shore what he was going to do for the tenants on Grayson Court.

Mr. Shore responded saying, "Build you a beer garden".

Ms. Moore responded saying, "Wow, I don't drink".

Mr. Shore stated Ms. Moore wants woods behind her house and he was going to leave some woods behind her house.

Ms. Moore stated she wanted security, safety; what she has now.

Mr. Shore asked Ms. Moore how security and safety were affected.

Ms. Moore responded saying, "Really, with a beer garden and a parking lot and retail?"

Mr. Shore asked Ms. Moore again how security and safety were affected by a beer garden.

Ms. Moore asked Mr. Shore how many cabanas were going to be in there.

Mr. Shore stated there would be one and it would be a walk up. He added, "You realize they just built a gas station on the corner there. People can go buy 40oz malt liquor and walk around the trail. You think somebody is going to do that versus somebody buying a \$5 craft beer in a glass. The alcohol thing is completely silly".

Ms. Moore responded saying, "This is really my backyard".

Mr. Shore stated she did not have much of a back yard because he owns it right across the fence.

Frankie Parson asked if there was anything further.

Ms. Moore stated that is how Mr. Shore thinks of the people.

Mr. Shore responded saying, "That's how you think, you think you should get to tell me what I do with my land and I'm trying to do something for the city and you're being selfish."

Ms. Moore responded saying, "I'm not being selfish".

Public Hearing closed.

**MOTION:** Pat O'Rear motioned for approval.

**SECOND:** Jason Jones seconded the motion.

**VOTE:** The motion carried unanimously (8-0).

- I. A PUBLIC HEARING will be held to consider application #S22-05 filed by ShoreCarter Resources, LLC requesting a Specific Use Permit (SUP) to allow for Permanent Outdoor Amusement (sports complex with retail area) and a



Neighborhood Pub/Tavern/Wine Bar (beer garden) in a General Retail (GR) Zoning District for approximately 11.506 acres of AB 4 I C Skillern Survey Tract 101-01 Section 5 located at 1022 Bill Owens Parkway.

Angela Choy presented the staff report.

STAFF COMMENTS:

The applicant is requesting a Specific Use Permit (SUP) to allow for Permanent Outdoor Amusement and Neighborhood Pub/Tavern/Wine Bar (<2,500 sf) in General Retail (GR) Zoning District.

A Specific Use Permit is required for Permanent Outdoor Amusement and Neighborhood Pub/Tavern/Wine Bar (<2,500 sf) in General Retail (GR) Zoning District to ensure no negative impact on surrounding properties.

The applicant is proposing a beer garden with an outdoor area that includes fire pits, a stage, sports fields and pickle ball courts. He is also proposing to tie this development into the Paul Boorman Trail.

Staff finds the proposed zoning change is consistent with adjacent zoning; therefore; it does not constitute spot zoning.

Public hearing opened for discussion.

Tim Moore, 3818 Hobson Road, Longview, TX 75605, was present to speak in opposition to the request. He explained he has property to protect and wanted the record to reflect his opposition as he had stated in the previous item. He did not want Mr. Shore to take offense to anything he was saying as it was strictly business from his point of view. He restated it would change the integrity of the neighborhood.

Public Hearing closed.

**MOTION:** Pat O'Rear motioned for approval.

**SECOND:** Jason Jones seconded the motion.

**VOTE:** The motion carried unanimously (8-0).

- J. A PUBLIC HEARING will be held to consider application #Z22-13 filed by Travis Crafton requesting a rezone from Multi-Family (MF-3) to General Retail (GR) Zoning District for approximately 0.138 acres of AB 4 I C Skillern Survey Tract 93 Section 5 located on the east side of Gilmer Road, north of East Fairmont Street.

Angela Choy presented the staff report.

STAFF COMMENTS:

The applicant is requesting a rezone from Multi-Family (MF-3) to General Retail (GR) located on the east side of Gilmer Road, north of East Fairmont Street to build a drive through ATM for the existing bank located to the south.

Gilmer Road is classified as a principal arterial roadway. Principal arterials are designed to provide a high degree of mobility, service relatively high traffic volumes, have high operational speeds and service a significant portion of through travel. Retail use is appropriate for this area, so long as access management is followed. The site will be sharing a driveway with the property to the south.

Staff finds the proposed zoning change is consistent with the future land use map and surrounding uses; therefore, the request does not constitute spot zoning.

The applicant, Travis Crafton, 1201 W. Loop 281, Longview, TX 75604, was present. He offered to answer any questions regarding the ITM or Interactive Teller Machine.

Public Hearing opened for discussion.

No one was present to speak in support or in opposition to the request.

Public Hearing closed.

**MOTION:** Heath Hamberlin motioned for approval.

**SECOND:** Jason Jones seconded the motion.

**VOTE:** The motion carried unanimously (8-0).

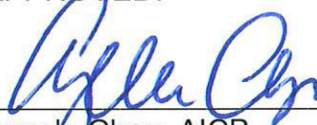
#### **VIII. Staff Update**

There were 4 zoning items presented to City Council, including 2 on Eastman Road, and all 4 of them were approved.

#### **IX. Adjourn**

Chairperson Frankie Parson adjourned the meeting at 6:51 pm.

APPROVED:

  
\_\_\_\_\_  
Angela Choy, AICP  
City Planner